



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Leon W.M.M. Terstappen, et al. Examiner: Christopher H. Yaen
Serial No.: 09/865,048 Group Art Unit: 1642
Filed: May 24, 2001 Docket: 890-2FWC/CIP/CPA/CON
For: PHAGE ANTIBODIES Dated: May 2, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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on ~~May 2, 2003~~ May 14, 2003
Signature: Nicole R. Roper

DECLARATION UNDER 37 C.F.R. §1.132 IN ACCORDANCE WITH *IN RE: KATZ*

Sir:

I, Ton Logtenberg, Ph.D. declare as follows:

1. I am one of the co-inventors of the patent application identified above.
2. I am a co-author of a peer-reviewed research paper published in *Proc. Natl. Acad. Sci. USA*, 92: 3938-3942 (April 1995). This article was cited by the Examiner in the Office Action dated January 3, 2003.
3. The *Proc. Natl. Acad. Sci. USA*, 92: 3938-3942 (April 1995) article also names Leon Terstappen, John de Kruif and Edwin Boel as co-authors.
4. Leon Terstappen is a co-inventor of the patent application identified above.
5. John de Kruif, Ph.D. did not contribute to the conception of the invention set forth in the above-identified patent application. As a Ph.D. student, Dr. de Kruif contributed his expertise under the direction and supervision of Dr. Terstappen and me in performing experiments that have exploited the

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combination of a library of phage particles that express antibody fragments on the surface of the phage particles and flow cytometry to isolate human monoclonal antibody fragments specific for subpopulations of cells present in a heterogeneous mixture.

6. Edwin Boel, Ph.D. did not contribute to the conception of the invention set forth in the above-identified application. As a Ph.D. student, Dr. Boel contributed his expertise under the direction and supervision of Dr. Terstappen and me in performing general recombinant DNA technology-based experiments aimed at identifying the antibody variable genes used in isolated antibody fragments and in supporting the experiments carried out by Dr. John de Kruif.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: May 10, 2003

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Ton Logtenberg, Ph.D.